

LINCOLN SQUARE LEGAL SERVICES, INC.

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November 4, 2020

VIA ECF

Honorable P. Kevin Castel
United States District Judge
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, NY 10007

Application Granted.

Re: **U.S. v. Hilton Marrero**
11 Cr 568 (PKC)

So Ordered:


Hon. P. Kevin Castel, U.S.D.J.

11-4-20

Dear Judge Castel:

We represent Mr. Hilton Marrero in the above-referenced case, for which we have a hearing scheduled for Monday, November 9, 2020 at 12:00 p.m. We write, with the government's consent, to respectfully request to have a law student intern assist in the hearing.

I am a clinical law professor at Fordham, and work alongside students to represent our clients in the Fordham Law School Clinic via our non-profit firm, Lincoln Square Legal Services, Inc. While we understand that students do not typically argue criminal matters, the Southern District of New York allows students to assist in civil matters, including habeas petitions. We see the upcoming argument for a sentencing reduction as more akin to a habeas petition than a pre-conviction criminal proceeding, where the interests of having counsel present arguments are stronger. We also note that the Second Circuit permits student arguments in criminal appeals. Finally, we know that some defendants proceed *pro se* in these motions, which gives us additional reason to believe that student argument here would not be inappropriate.

Importantly, Mr. Marrero has not only consented to a student arguing, as documented in the enclosed Law Student Appearance form, he has explicitly requested it. My colleague, Jennifer Louis-Jeune, and I will be on the call and will supplement the argument as necessary. The students, under our supervision, wrote the opening request and the reply. They are well-versed in the issues.

We appreciate the Court's consideration of this request.

Respectfully submitted,
/s/ Michael W. Martin
Michael W. Martin
Executive Director
Lincoln Square Legal Services, Inc.
Attorney for Defendant

Encl.

cc: AUSA Thomas S. Burnett (by ECF)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

United States
V.
Hilton Marrero

No. 11 Cr 568 (PKC)

LAW STUDENT INTERN
APPEARANCE FORM

1. Law Student Certification

I certify that:

- (a) I am duly enrolled in Fordham law school
in accordance with part (c)(1) of the Student Practice Rule of the Southern District of
New York.
- (b) I am receiving no compensation from the client in accordance with part (c)(6) of the
Student Practice Rule of the Southern District of New York.
- (c) I am familiar and will comply with the Code of Professional Responsibility of the
American Bar Association.
- (d) I am familiar with the federal procedural and evidentiary rules relevant to the action in
which I am appearing.

November 4, 2020

(date)

Elizabeth Marley
(Signature of Student)

Elizabeth Marley

(Print Name)

2. Certification of Law School Dean or Authorized Designee

I certify that this student:

- (a) has completed at least two semesters of law school work and is a participant in an
approved clinical program;
- (b) is qualified, to the best of my knowledge, to provide the legal representation permitted
by this rule, and
- (c) that Jennifer Louis-Jeune, who will serve as supervising
attorney, is a participant in a clinical program approved by this school.

November 4, 2020

(date)

Michael Martin
(Signature of Dean or Authorized Designee)

Michael Martin

(Print Name)

Authorized Designee

(Position of Above)

(Print Name)